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182379



DEPARTMENT OF TRANSPORTATION



**COAST GUARD**

**ON - SCENE - COORDINATORS REPORT**

**T. FIORE DEMOLITION**

**MEDIUM OIL SPILL**

**Newark, New Jersey**

**March 22, 1974**

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## FOREWORD

This report is submitted in accordance with CCGD3 Instruction 5922.3 and paragraph 1504 of the National Oil and Hazardous Substance Pollution Contingency Plan.

The owner of the land fill area assumed responsibility and was conducting removal operations. On 24 April 1974 the Federal OSC determined removal operations were not being conducted satisfactorily and assumed responsibility for removal.

Cleanup has been supervised by COTP personnel from 22 March 1974 until the present time. Cleanup is still being conducted at the land fill area where oil continues to seep into the Creek at a rate of 50 to 500 gallons per day.

**SECTION I**

**Roster of Key Personnel and Agencies**

## Roster of Key Personnel and Agencies

### United States Coast Guard

Captain Frank Oliver	COTP, NYK
CDR Ernest Bizzozero	Third District (MEP)
LCR James Harbison	COTP, NYK
Lt. Thomas Allan	COTP, NYK
Lt. John W. Spreter	COMEASTAREA (MEP)
Lt. Edward R. Williams	COTP, NYK
Lt. j.g. Tony Hart	COTP, NYK
Ens. Peter Robinson	COTP, NYK
MKC Roger Lane	Atlantic Strike Team
MK1 Carl Lux	Atlantic Strike Team
GM2 Robert Stoll	COTP, NYK
GM2 Robert Warman	COTP, NYK
QM3 Judd Diener	COTP, NYK
BM3 Brien McMahon	COTP, NYK
DC3 Marion Smith	COTP, NYK

### Coastal Services Inc.- Elizabeth, New Jersey

Joseph Joyce	Operations Manager
Stan Bogdan	Foreman

### Clean Water Inc.- Toms River, New Jersey

Paul Preus	President
John Gallagher	Manager of Engineering
Robert Bolton	Foreman

### Federal Environmental Protection Agency-Region II

Howard Lampl	Oil Spill Coordinator
Paul Elliot	Oil Spill Coordinator
Joseph Laforvara	Hazardous Materials-Chemist

### Newark Housing Authority

Charles Schmidt	Attorney-at-Law
Frank La Capra	Property Manager
Herman Lewitt	Project Coordinator

City of Newark

Charles McGuire

Department of Industrial  
Pollution

Barney Barnett

Department of Sewers

State of New Jersey-Department of Environmental Protection

David Longstreet

Engineer, Oil & Hazardous  
Materials Program

T. Fiore Demolition Inc. (Turnpike Auto Parts)

Ted Fiore-Owner

192 Delany St.  
Newark, New Jersey

Attorney Representing Dumpsite Operator (T, Fiore)

Mr. Robert Blasi  
C/O Hermann & Blasi  
Tel: 201-621-7171

50 Park Place  
Newark, New Jersey

Scientific Chemical Processing, Inc.-Carlstadt, New Jersey

Mr. Herbert G. Case

Sales Manager

Gaess Environmental Services Corporation-Passaic, New Jersey

## **SECTION II**

### **Summary of Investigation Activities**

## INVESTIGATION SUMMARY

22 MARCH TO 30 SEPTEMBER, 1974

ON 22 MARCH, 1974, COAST GUARD AIR STATION AT BROOKLYN REPORTED BLACK OIL COMING FROM THE CREEK WHICH FLOWS INTO NEWARK BAY, JUST NORTH OF THE LEHIGH VALLEY RAILROAD BRIDGE ON THE NEWARK SIDE. COTP INVESTIGATORS ARRIVED ON SCENE ABOUT 1800 ON THE 22nd AND DETERMINED THAT A SUBSTANTIAL AMOUNT OF BLACK OIL WAS FLOWING FROM THE CREEK INTO THE BAY. BLACK OIL WAS OBSERVED OVER THE ENTIRE LENGTH OF THE CREEK.

OIL WAS OBSERVED ENTERING THE UPPER CREEK FROM A DUMP SITE. SEVERAL POOLS OF BLACK OIL WERE OBSERVED ON THE DUMP SITE AND OIL FROM THESE POOLS WAS OBSERVED SEEPING INTO THE CREEK.

SINCE THE OWNER OF THE DUMP SITE COULD NOT BE LOCATED, A FEDERALLY FUNDED CLEAN-UP RESPONSE WAS INITIATED. THE INITIAL CLEAN-UP OPERATION WAS FOCUSED ON THE CONTAINMENT OF THE OIL IN VARIOUS PARTS OF THE CREEK. THIS ACTION WAS CARRIED OUT ON THE 22nd AND 23rd OF MARCH.

ON 23 MARCH, 1974, MR. T. FIORE, OWNER AND OPERATOR OF THE DUMP SITE WAS LOCATED AND ADVISED OF THE SITUATION. MR. FIORE ACCEPTED RESPONSIBILITY FOR THE CLEAN-UP AND INDICATED HE WOULD HIRE HIS OWN CONTRACTOR TO CONTINUE THE CLEAN-UP OPERATION.

CLEAN-UP WAS CONDUCTED ON 26 AND 27 MARCH BY GAESS ENVIRONMENTAL SERVICES CORP. OF PASSIAC, N.J., AND CONSISTED OF THE REMOVAL OF AN ESTIMATED 3,000 GALLONS OF OIL FROM THE CREEK.

OIL WAS OBSERVED PASSING THROUGH THE CONTAINMENT BARRIERS AND INTO NEWARK BAY ON 2, 9, 11 and 12 APRIL. ON 12 APRIL, MR. FIORE WAS PRESENTED A LETTER FROM CAPTAIN OF THE PORT OF NEW YORK STATING THAT CLEAN-UP OPERATIONS TO DATE WERE UNSATISFACTORY. THE LETTER ALSO OUTLINED WHAT ACTION WAS TO BE TAKEN BY MR. FIORE AND STATED THAT HIS FAILURE TO TAKE THIS ACTION WOULD RESULT IN THE COAST GUARD'S INITIATING A GOVERNMENT FUNDED CLEAN-UP OPERATION.

DURING THE PERIOD FROM 12 APRIL TO 23 APRIL, AN IRRIDESCENT SLICK WAS OBSERVED FLOWING FROM THE CREEK INTO NEWARK BAY DURING LOW TIDE. ON 16 and 17 APRIL, AN ESTIMATED 6,500 GALLONS OF OIL WAS REMOVED FROM THE CREEK BY VACUUM-TRUCK BY SCIENTIFIC CHEMICAL PROCESSING OF CARLSTADT, N.J.

ON 23 APRIL, ADDITIONAL FUNDS WERE REQUESTED UNDER POLLUTION INCIDENT CONTROL NUMBER 1-4-0043, AND CLEAN WATER INC. OF TOMS RIVER, NEW JERSEY WAS HIRED TO CARRY OUT THE CLEAN-UP.

ON 24 APRIL, MR. FIORE WAS ADVISED THAT HIS CLEAN-UP EFFORTS HAD BEEN UNSATISFACTORY AND THAT COAST GUARD WAS ASSUMING THE CLEAN UP OPERATION. MR. FIORE WAS PRESENTED A LETTER FROM CAPTAIN OF THE PORT TO THIS EFFECT.



DURING THE PERIOD FROM 24 APRIL TO 17 MAY, CLEAN-UP PROCEEDED ON A 5 DAY PER WEEK BASIS. THE OPERATION INVOLVED THE CONSTRUCTION OF SEVERAL FILTER FENCES TO CONTAIN THE SEEPAGE IN THE AREA OF THE CREEK ADJACENT TO THE DUMP SITE, AND THE REMOVAL OF OIL, OIL SOAKED DEBRIS AND OIL SOAKED VEGETATION ALONG THE ENTIRE LENGTH OF THE CREEK.

BETWEEN 21 MAY AND 30 SEPTEMBER, CLEAN-UP WAS REDUCED TO A ONE TO TWO DAY OPERATION WITH THE MAJOR ACTIVITY BEING FOCUSED AROUND THE PUMPING OUT OF OIL POCKETS AS THEY ACCUMULATED IN THE CREEK BEHIND THE FILTER FENCES AND ABSORBENT BOOMS AND ALSO THE REMOVAL AND REPLACEMENT OF OIL SATURATED ABSORBENT IN THE FILTER FENCES. THE SEEPING OIL REMAINED WELL CONTAINED DURING THIS PERIOD WITH THE SEEPAGE RATE RANGING FROM UNDER 50 TO OVER 500 GALLONS PER DAY. THE RATE OF SEEPAGE APPEARS TO VARY WITH RAINFALL AND TIDAL PATTERNS AND THUS FAR SHOWS NO CLEAR EVIDENCE OF ABATING.

INVESTIGATORS STATEMENT  
STATEMENT OF GM2 ROBERT STOLL  
MARCH 22, 1974

WHILE ON BOARD COAST GUARD HELICOPTER 1371, PILOTED BY LT. WHITE, AS AN OBSERVER FOR CAPTAIN OF THE PORT, NEW YORK, AN OIL SLICK WAS OBSERVED FLOWING INTO NEWARK BAY JUST NORTH OF THE PENN CENTRAL RAILROAD BRIDGE, ON THE NEWARK SIDE OF THE BAY.

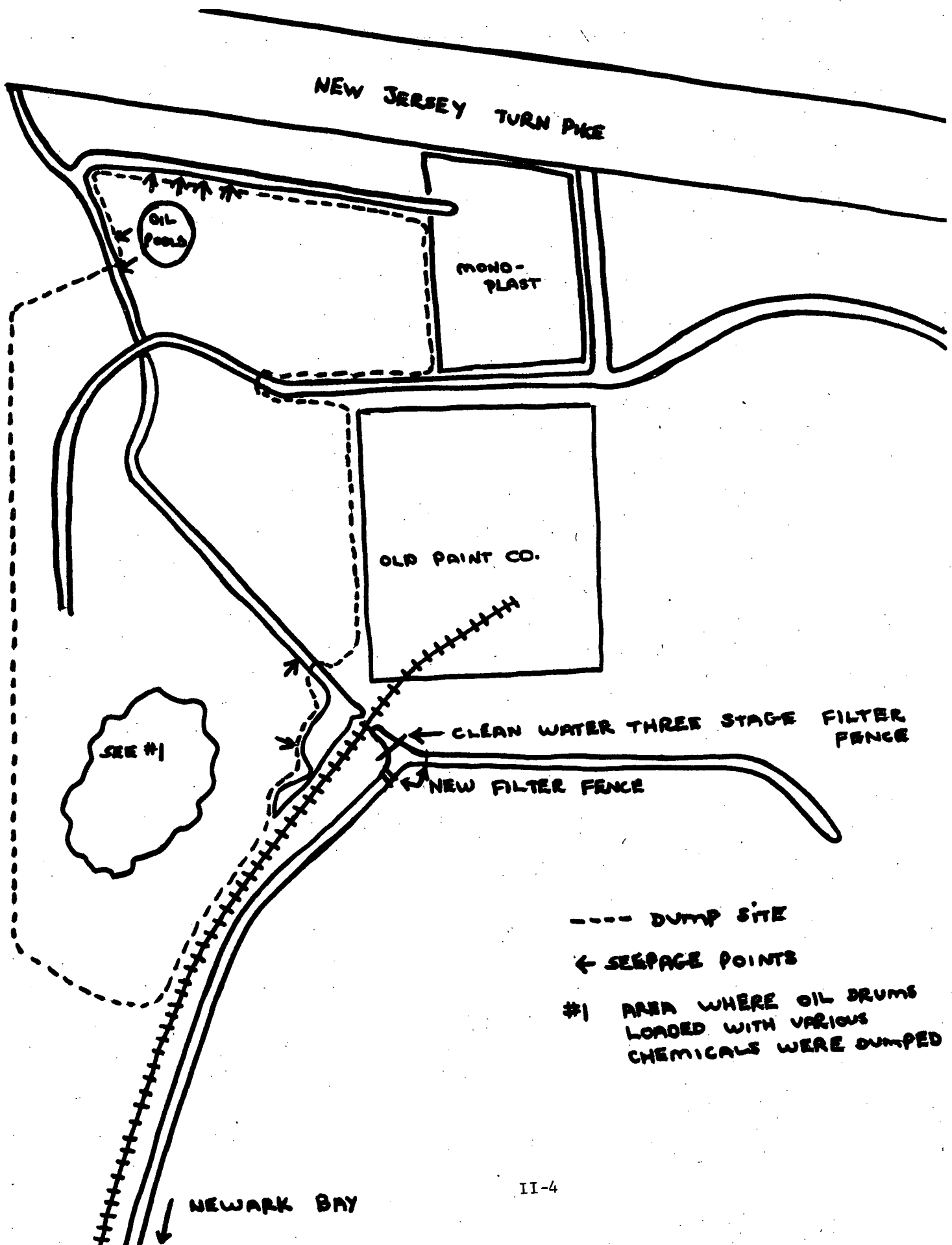
UPON MY REQUEST, THE PILOT FOLLOWED THE SLICK UP THE CREEK TO AN AREA RIGHT NEXT TO THE NEW JERSEY TURNPIKE, WHERE WE OBSERVED LARGE POOLS OF OIL ON THE GROUND IN A GARBAGE DUMP.

OIL COVERED ABOUT 1/3 OF THE WIDTH OF THE CREEK FROM THE BAY UP TO THE DUMP AREA. WITHIN THE DUMP SITE ITSELF, THE CREEK WAS COMPLETELY COVERED.

A TOTAL OF ABOUT 7-10 MINUTES WERE SPENT ON SCENE, TWO TRIPS WERE MADE FROM THE BAY TO THE DUMP SITE AND BACK AGAIN.

PHOTOGRAPHS WERE TAKEN OF THE OIL IN THE CREEK.

  
R.W. STOLL  
GM2 USCG



## SECTION III

### Summary of Cleanup Activities

## SUMMARY OF CLEAN-UP OPERATIONS-22 MARCH TO 30 SEPTEMBER

CLEAN-UP COMMENCED ON 22 MARCH WHEN COASTAL SERVICES ARRIVED ON SCENE AT ABOUT 2330. THE CONTRACTOR ARRIVED ON SCENE APPROXIMATELY ONE HOUR AFTER BEING CONTACTED BY THE WATER POLLUTION OFFICE. THE INITIAL CLEAN-UP ACTIVITY WAS FOCUSED ON CONTAINMENT OF THE OIL IN THE CREEK. ABSORBENT BOOMS WERE DEPLOYED AT SEVERAL POINTS IN THE UPPER CREEK AND ALSO AT THE CREEK MOUTH. A SECTION OF CONTAINMENT BOOM WAS DEPLOYED IN THE CREEK APPROXIMATELY 200 YARDS EAST OF DOREMUS AVENUE.

ON 23 MARCH, MR. FIORE WAS LOCATED AND ADVISED OF THE SEEPAGE AND ALSO OF HIS CLEAN-UP RESPONSIBILITIES. MR. FIORE ACCEPTED RESPONSIBILITY FOR CLEAN-UP AND INDICATED HE WOULD HIRE GAESS ENVIRONMENTAL SERVICES CORPORATION OF PASSAIC, NEW JERSEY TO CONDUCT CLEAN-UP OPERATIONS. GAESS ENVIRONMENTAL CONDUCTED OIL REMOVAL OPERATIONS ON 26 and 27 MARCH AND ALSO ON 3 APRIL. SEVERAL TANK TRUCK LOADS OF OIL/WATER MIXTURE WERE REMOVED DURING THIS PERIOD, THE OIL CONTENT OF THIS VOLUME WAS DETERMINED TO BE 3,000 GALLONS.

DURING THIS PERIOD, THE ENTIRE LENGTH OF THE CREEK AND ITS BANKS WERE OBSERVED TO REMAIN OIL COATED. FURTHER, BLACK OIL WAS OBSERVED TO BE PASSING THROUGH THE CONTAINMENT AND ABSORBENT BARRIERS AND INTO NEWARK BAY ON 2,9,11 and 12 APRIL. A CONTINUOUS IRRIDESCENT SLICK WAS OBSERVED ENTERING THE BAY AT LOW TIDE FROM 12 APRIL TO 23 APRIL. ON 2 APRIL, COASTAL SERVICES WAS CALLED IN TO EFFECT BETTER CONTAINMENT OF THE OIL IN THE CREEK. OIL SATURATED ABSORBENT BOOMS WERE REMOVED AND REPLACED AND ADDITIONAL BOOMS WERE DEPLOYED IN ORDER TO CONTAIN THE SEEPING OIL IN THE UPPER END OF THE CREEK. ON 16 AND 17 APRIL, SCIENTIFIC CHEMICAL PROCESSING OF CARLSTADT, NEW JERSEY WAS CONTRACTED BY MR. FIORE TO PUMP OUT OIL FROM THE CREEK. SEVERAL TANK TRUCK LOADS WERE REMOVED BY THIS FIRM CONTAINING AN ESTIMATED 6,500 GALLONS OF OIL.

ON 23 APRIL, THE DECISION WAS MADE BY CAPTAIN OF THE PORT, NEW YORK TO ASSUME CLEAN-UP OPERATIONS. A LETTER WAS PRESENTED TO MR. FIORE APPRISING HIM OF THIS DECISION AND OUTLINING THE REASONS FOR IT.

TWO MEMBERS OF THE ATLANTIC STRIKE FORCE TEAM WERE REQUESTED TO SUPERVISE CLEAN-UP OPERATIONS. THE TEAM REMAINED ON SCENE UP UNTIL 1 JUNE. CLEAN WATER INC. OF TOMS RIVER, NEW JERSEY WAS CONTRACTED BY THE COAST GUARD TO CONDUCT THE ACTUAL CLEAN-UP.

THE OPERATION BEGAN WITH THE CONSTRUCTION OF FILTER FENCES FOR BETTER CONTAINMENT OF THE SEEPING OIL. ONCE CONTAINMENT WAS EFFECTED, THE REMOVAL OF OIL, OIL SOAKED DEBRIS, AND OIL SOAKED VEGETATION COMMENCED. ADDITIONAL FILTER FENCES WERE INSTALLED AT THE LOWER END OF THE DUMP SITE AND THE OIL WAS EVENTUALLY ISOLATED TO THAT SECTION OF THE CREEK WHICH PASSES THROUGH THE DUMP SITE. ONCE THIS WAS ACCOMPLISHED, THE AREAS OF THE CREEK ABOVE AND BELOW THE DUMP SITE WERE CLEANED.

OIL, OIL SOAKED DEBRIS, AND OIL SOAKED VEGETATION WERE REMOVED FROM THE ENTIRE LENGTH OF THE CREEK EXCEPT FOR THE ISOLATED SECTION WITHIN THE DUMP SITE.

THE CLEAN-UP WAS CONDUCTED IN A "LOW KEY" MANNER WITH THE SEEPING OIL BEING PUMPED OUT AS IT POCKETED IN THE CREEK BEHIND THE FILTER FENCES AND BOOMS. A FOUR TO SIX MAN CREW WAS EMPLOYED AT THE DUMP SITE BY THE CLEAN-UP CONTRACTOR. THE INITIAL CLEAN-UP PROCEEDED ON AN EIGHT HOUR PER DAY, FIVE(5) DAY PER WEEK BASIS. THIS ACTIVITY COVERED THE PERIOD FROM 24 APRIL TO 17 MAY. BY THE WEEK OF 20 MAY, THE OIL SEEPAGE RATE HAD DROPPED OFF TO LESS THAN 50 GALLONS OF OIL PER DAY. THE CLEAN-UP OPERATION WAS REDUCED AT THIS TIME TO A ONE TO TWO DAY PER WEEK OPERATION. FROM THAT TIME UNTIL THE END OF SEPTEMBER, SEEPAGE RANGED FROM UNDER 50 TO OVER 500 GALLONS PER DAY.

BECAUSE OF THE MANNER IN WHICH CLEAN-UP WAS CARRIED OUT, A SUBSTANTIAL QUANTITY OF OIL HAS BEEN REMOVED FROM THE CREEK AT A RELATIVELY LOW COST. AS OF THE END OF SEPTEMBER, THE QUANTITY OF OIL REMOVED IS CONSERVATIVELY ESTIMATED AT 77,000 GALLONS. THE U.S. GOVERNMENT'S CLEAN-UP RESPONSE EXPENDITURES TO THAT DATE ARE APPROXIMATELY \$40,800.00

## **SECTION IV**

### **Problems Encountered**

## PROBLEMS ENCOUNTERED

THE INITIAL PROBLEM ENCOUNTERED IN THE INVESTIGATION OF THE SPILL WAS THAT OF LOCATING THE DUMP SITE OWNER AND OPERATOR AND THEN GETTING HIM TO TAKE EFFECTIVE CONTAINMENT AND CLEAN-UP ACTION. HIS FAILURE TO TAKE THIS ACTION RESULTED IN THE COAST GUARD'S INITIATION OF A GOVERNMENT FUNDED CLEAN-UP RESPONSE.

NO MAJOR DIFFICULTIES WERE ENCOUNTERED IN THE SPILL CLEAN-UP OPERATION. BECAUSE OF THE NATURE OF THE SPILL AND THE FACT THAT THE INITIAL CLEAN-UP WAS EXPECTED TO CONTINUE FOR AT LEAST ONE MONTH, TWO MEMBERS OF THE ATLANTIC STRIKE TEAM WERE REQUESTED FOR SUPERVISION OF THE CLEAN-UP OPERATION. THE TEAM SUBMITTED DAILY REPORTS TO THE NEW YORK WATER POLLUTION CONTROL OFFICE. MEETINGS WERE HELD PERIODICALLY, BOTH AT GOVERNORS ISLAND AND AT THE SPILL SITE, TO DETERMINE THE PROGRESS OF THE OPERATION AND TO PLAN ITS FUTURE DIRECTION. BECAUSE THE TEAM WAS ABLE TO REMAIN ON SCENE DURING THE ENTIRE PERIOD OF THE ACTIVE CLEAN-UP (25 APRIL-1 JUNE) EXCELLENT COMMUNICATIONS WERE MAINTAINED BETWEEN THE CLEAN-UP CONTRACTOR AND THE ON-SCENE COORDINATOR. AT THE END OF MAY, WHEN THE OPERATION WAS REDUCED TO A ONE TO TWO DAY PER WEEK OPERATION, COTP HAZMATS WERE UTILIZED TO PERIODICALLY INSPECT THE SEEPAGE AND TO MONITOR CLEAN-UP ACTIVITIES. THIS PROCEDURE HAS CONTINUED UP THROUGH THE END OF SEPTEMBER.

ON MAY 2, 1974, PROPERTY MAPS OF THE SPILL AREA WERE OBTAINED FROM THE CITY OF NEWARK. THESE MAPS INDICATED THAT THE DUMP SITE EXTENDED WELL OFF MR. FIORE'S PROPERTY AND ONTO THE PROPERTY OF THE NEWARK HOUSING AUTHORITY. THIS AGENCY WAS CONTACTED AND APPRISED OF THE SITUATION. ON 7 MAY, REPRESENTATIVES OF THE HOUSING AUTHORITY MET WITH LT. WILLIAMS ON SCENE AND AGREED TO TAKE ACTION TO DETERMINE HOW MUCH OF THE DUMP WAS ON THEIR PROPERTY. A SUBSEQUENT SURVEY REVEALED THAT OVER ONE-HALF MILLION SQUARE FEET OF THE DUMP SITE WAS LOCATED ON HOUSING AUTHORITY PROPERTY.

ON 18 JUNE, THE NEWARK HOUSING AUTHORITY FILED A ONE MILLION DOLLAR SUIT AGAINST T. FIORE DEMOLITION INC. IN SUPERIOR COURT OF NEW JERSEY, ESSEX COUNTY, FOR THE ENVIRONMENTAL DAMAGE CAUSED BY THE DUMPING OF REFUSE ON HOUSING AUTHORITY PROPERTY. THIS CASE IS EXPECTED TO GO TO COURT IN THE NEAR FUTURE.

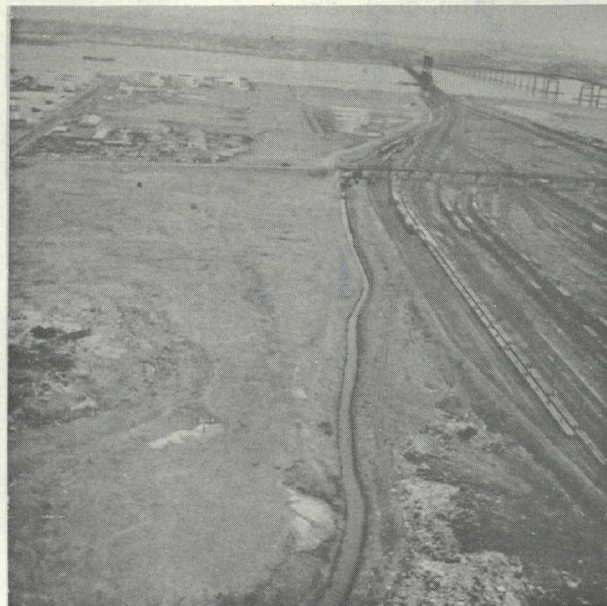


## **SECTION V**

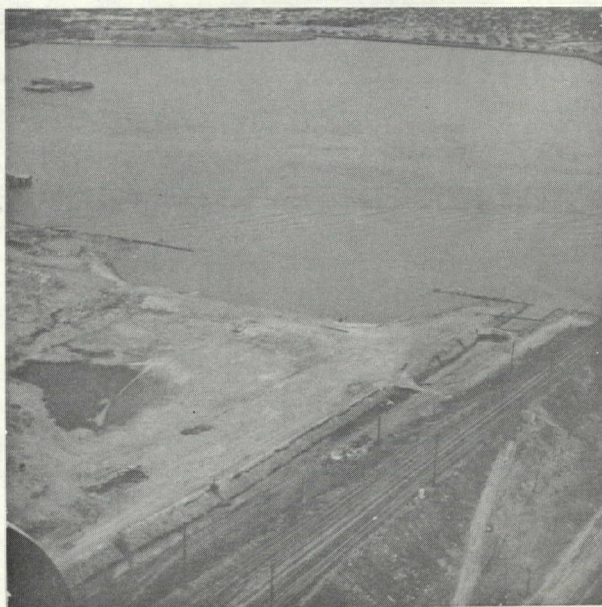
### **Photographs**



Aerial Photographs of the Dump area  
and the drainage ditches. Oil shown  
in the ditches lower center of  
Photograph 1 April 1974



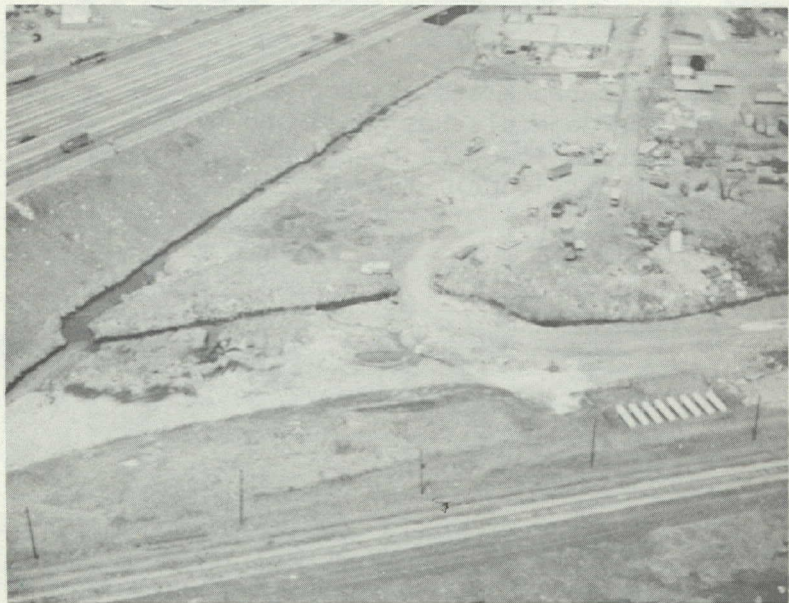
Aerial photograph of ditches looking  
from dump site toward Newark Bay.  
1 April 1974



Aerial view of heavy oil in the  
drainage ditch behind the tidal  
gate. Sheen shown in Newark Bay.  
1 April 1974



Aerial view of heavy oil in the  
drainage ditch and pools of oil in  
the dump area. 29 April 1974





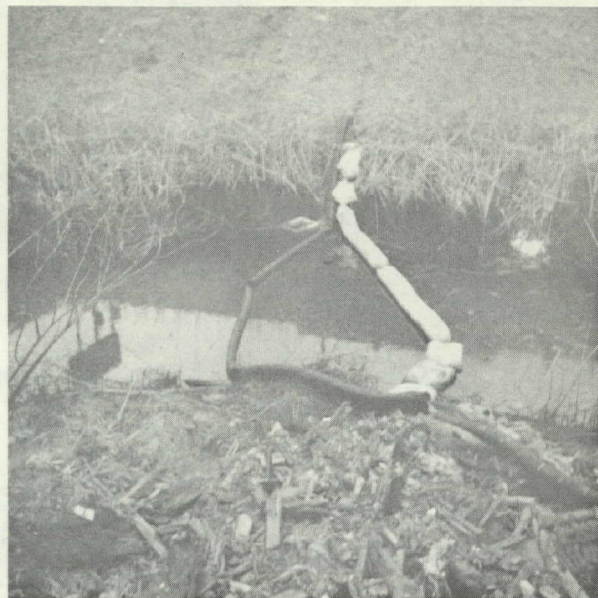


Aerial photograph of heavy sheen  
escaping from the ditch into  
Newark Bay. 30 April 1974

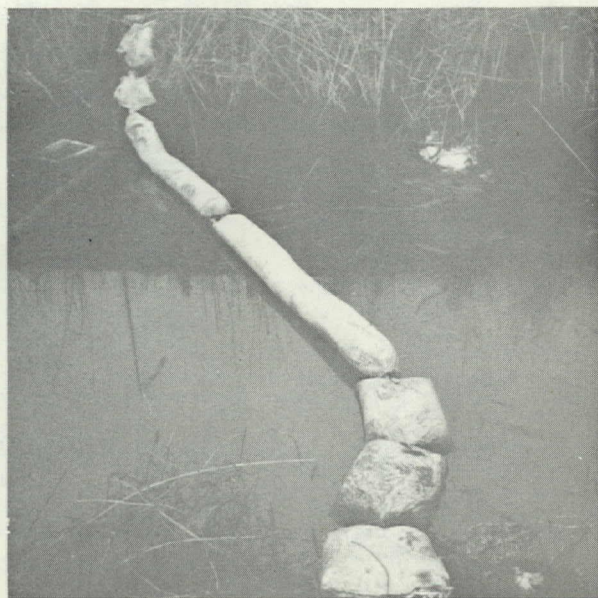
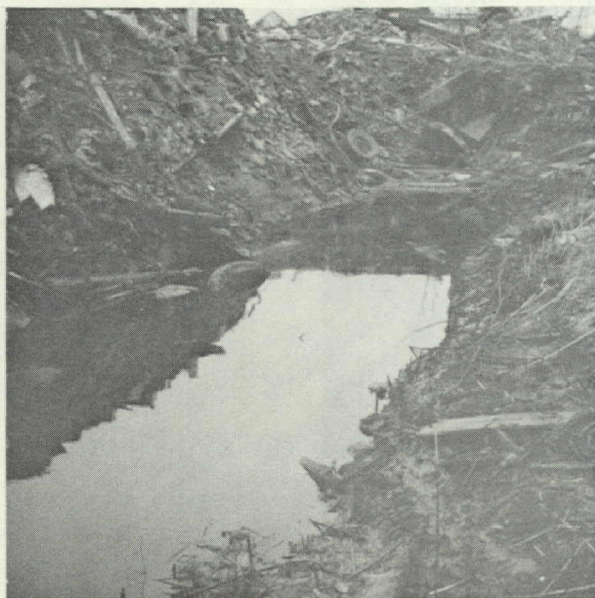


Pools of oil on the ground at the  
land fill area. 2 April 1974





Heavy oil in the drainage ditch S  
Southeast corner of the land fill  
site. 2 April 1974







Oil seepage from the land fill site  
into the creek. 22 April 1974



Heavy oil sheen in ditch near tidal  
gate on 2 May 1974 while contractor  
is constructing another filter fence.





Some of the Oil Coated Debris  
removed from this ditch



Heavy oil in this ditch on 6 May 1974





Heavy oil in the ditch behind the  
filter fence.





**SECTION VI**

**Violation Report**



DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

MAILING ADDRESS:  
Captain of the Port  
U.S. Coast Guard  
Governors Island  
New York, N.Y. 10004

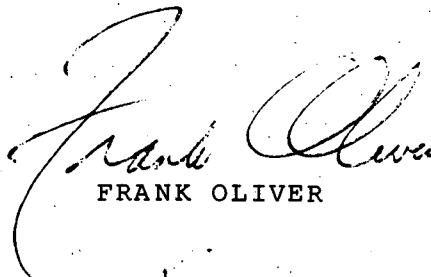
From: Captain of the Port, New York  
To: Commander, Third Coast Guard District (m)  
Subj: Water Pollution investigation report; forwarding of  
Ref: (a) CCGD3 Inst. 5922 dtd 12 January 1973

1. In accordance with reference (a) the enclosed Water Pollution Investigation Report os forwarded approved.

2. This spill (was not) reported by the responsible company or an orrical representative of the company. The Coast Guard was notified \_\_\_\_\_ hours \_\_\_\_\_ minutes after discovery of the spill by \_\_\_\_\_.

3. In view of the findings in this case, gravity of the incident, previous cases against this facility/vessel, and the demonstrated concern of the company, it is recommended that:

- ☒ (a) A (substantial) monetary civil penalty be assessed against this company.
- ☐ (b) This case be referred to the U.S. Attorney for consideration of criminal action for failure to notify the Coast Guard as required by the Federal Water Pollution Control Act, as amended, Section 311 (b) (5).
- ☐ (c) This case be reviewed to determine whether R.S. 4450 action against the tankerman involved should be considered.
- ☐ (d) Other comments:

  
FRANK OLIVER

DEPARTMENT OF  
TRANSPORTATION  
U. S. COAST GUARD  
CG-3639 (Rev. 9-72)

**WATER POLLUTION (Check applicable violation(s))**

- ☐ OIL POLLUTION ACT OF 1961 (Discharge of oil by vessels within prohibited zones of the high seas.)
- ☐ OIL POLLUTION ACT OF 1924 (Discharge of oil by vessels into navigable waters of the United States.)
- ☒ **FEDERAL WATER POLLUTION CONTROL ACT AS AMENDED**
- ☐ THE REFUSE ACT OF 1899 (Discharge of refuse by vessel or shore facility into any navigable waters of the United States.)

REPORTING UNIT

CAPTAIN OF THE PORT, NEW YORK

CG DISTRICT

3

DATE OF VIOLATION

22 MARCH 1974

**SECTION I - VESSEL DATA**

1. NAME OF VESSEL		2. OFFICIAL NUMBER	3. NATIONALITY
4. TYPE OF VESSEL <input type="checkbox"/> DRY CARGO <input type="checkbox"/> TANKER <input type="checkbox"/> TANK BARGE <input type="checkbox"/> OTHER (Specify)		5. GROSS TONS	6. INTERNATIONAL CALL
7. OWNERS (Name and address)		8. LOCAL AGENT (Name and address)	
9. MASTER		10. CHIEF ENGINEER	
a. NAME AND ADDRESS (If available)	b. LICENSE NO.	a. NAME AND ADDRESS (If available)	b. LICENSE NO.

**SECTION II - OIL RECORD BOOK DATA**

1. REQUESTED RECORD BOOK FROM <input type="checkbox"/> MASTER <input type="checkbox"/> CHIEF ENGINEER	2. <input type="checkbox"/> PROPERLY MAINTAINED <input type="checkbox"/> IMPROPERLY MAINTAINED <input type="checkbox"/> COULD NOT BE PRODUCED
--	--

**SECTION III - SHORE FACILITY DATA**

1. NAME AND ADDRESS OF COMPANY T. FIORE DEMOLITION 192 DELANEY ST. NEWARK, NEW JERSEY	2. TYPE OF FACILITY REFUSE DUMP/ LAND FILL 3. TYPE OF REFUSE BUILDING DEMOLITION/WASTE
--	---

**SECTION IV - POLLUTION DATA**

1. PLACE OF POLLUTION (Local name or geographical coordinates) OFF OF WILSON AVENUE NEWARK, NEW JERSEY	2. TIME 1800Q	3. <input type="checkbox"/> EQUIPMENT FAILURE <input checked="" type="checkbox"/> PERSONNEL FAILURE	
4. OPERATING PERSONNEL INVOLVED	5. DUTY	6. MARINERS LICENSE NUMBER (If any)	7. SIGNED STATEMENT ATTACHED
8. EMERGENCY MEASURES TAKEN TO REDUCE FIRE HAZARD NONE			9. POLLUTANT MIXED BLACK OIL

**SECTION V - POLLUTION SAMPLES (Include this information on label of sample)**

1. SOURCES A. B.	2. TIME A. B.	3. DATES A. B.
4. NAME OF PERSON(S) TAKING SAMPLES		5. WITNESS(ES) TO TAKING SAMPLES
PERSON REPORTING POLLUTION		WITNESS
INVESTIGATING OFFICER (Typed name) R.W. STOLL		SIGNED STATEMENT ATTACHED <input type="checkbox"/> YES <input type="checkbox"/> NO
FIRST ENDORSEMENT		SIGNATURE (Investigating Officer) <i>R.W. Stoll</i>
DATE	SIGNATURE (Unit Commanding Officer) <i>Frank Oliver</i> FRANK OLIVER, CAPT., USCG	
SECOND ENDORSEMENT		
DATE	SIGNATURE (District Commander)	

I- CASE SYNOPSIS

22 MARCH TO 30 SEPTEMBER, 1974

ON 22 MARCH, 1974, COAST GUARD AIR STATION AT BROOKLYN REPORTED BLACK OIL COMING FROM THE CREEK WHICH FLOWS INTO NEWARK BAY JUST NORTH OF THE LEHIGH VALLEY RAILROAD BRIDGE ON THE NEWARK SIDE. COTP INVESTIGATORS ARRIVED ON SCENE AT ABOUT 1800 ON THE 22nd AND DETERMINED THAT A SUBSTANTIAL AMOUNT OF BLACK OIL WAS FLOWING FROM THE CREEK INTO THE BAY. BLACK OIL WAS OBSERVED OVER THE ENTIRE LENGTH OF THE CREEK.

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ON 24 APRIL, MR. FIORE WAS ADVISED THAT HIS CLEAN-UP EFFORTS HAD BEEN UNSATISFACTORY AND THAT THE COAST GUARD WAS ASSUMING THE CLEAN-UP OPERATION. MR. FIORE WAS PRESENTED A LETTER FROM CAPTAIN OF THE PORT TO THIS EFFECT.

DURING THE PERIOD FROM 24 APRIL TO 17 MAY, CLEAN-UP PROCEEDED ON A 5 DAY PER WEEK BASIS. THE OPERATION INVOLVED THE CONSTRUCTION OF SEVERAL FILTER FENCES TO CONTAIN THE SEEPAGE IN THE AREAS OF THE CREEK ADJACENT TO THE DUMP SITE, AND THE REMOVAL OF OIL, OIL SOAKED DEBRIS AND OIL SOAKED VEGETATION ALONG THE ENTIRE LENGTH OF THE CREEK.

BETWEEN 21 MAY AND 30 SEPTEMBER, CLEAN-UP WAS REDUCED TO A ONE TO TWO DAY OPERATION WITH THE MAJOR ACTIVITY BEING FOCUSED AROUND THE PUMPING OUT OF OIL POCKETS AS THEY ACCUMULATED IN THE CREEK BEHIND THE FILTER FENCES AND ABSORBENT BOOMS AND ALSO THE REMOVAL AND REPLACEMENT OF OIL SATURATED ABSORBENT IN THE FILTER FENCES. THE SEEPING OIL REMAINED WELL CONTAINED DURING THIS PERIOD WITH THE SEEPAGE RATE RANGING FROM UNDER 50 TO OVER 500 GALLONS PER DAY. THE RATE OF SEEPAGE APPEARS TO VARY WITH RAINFALL PATTERNS AND THUS FAR SHOWS NO CLEAR EVIDENCE OF ABATING.

## ROSTER OF KEY PERSONNEL AND AGENCIES

### UNITED STATES COAST GUARD

CAPTAIN FRANK OLIVER	COTP, NYK
CDR ERNEST BIZZOZERO	THIRD DISTRICT (MEP)
LCR JAMES HARBISON	COTP, NYK
LT. THOMAS ALLAN	COTP, NYK
LT. JOHN W. SPRETER	COMEASTAREA (MEP)
LT. EDWARD R. WILLIAMS	COTP, NYK
LTJG TONY HART	COTP, NYK
ENS PETER ROBINSON	COTP, NYK
MKC ROGER LANE	ATLANTIC STRIKE TEAM
MK1 CARL LUX	ATLANTIC STRIKE TEAM
GM2 R.W. STOLL	COTP, NYK
GM2 ROBERT WARMAN	COTP, NYK
QM3 JUDD DIENER	COTP, NYK
BM3 BRIEN MCMAHON	COTP, NYK
DC3 MARION SMITH	COTP, NYK

### COASTAL SERVICES INC., ELIZABETH, NEW JERSEY

JOSEPH JOYCE	OPERATIONS MANAGER
STAN BOGDAN	FOREMAN

### CLEAN WATER INC., TOMS RIVER, NEW JERSEY

PAUL PREUSS	PRESIDENT
JOHN GALLAGHER	MANAGER OF ENGINEERING
ROBERT BOLTON	FOREMAN

### FEDERAL ENVIRONMENTAL PROTECTION AGENCY-REGION II

HOWARD LAMPL	OIL SPILL COORDINATOR
PAUL ELLIOT	OIL SPILL COORDINATOR
JOSEPH LAFORNARA	HAZARDOUS MATERIALS-CHEMIST

### NEWARK HOUSING AUTHORITY

CHARLES SCHMIDT	ATTORNEY-AT-LAW
FRANK LA CAPRA	PROPERTY MANAGER
HERMAN LEWITT	PROJECT COORDINATOR

CITY OF NEWARK

CHARLES MCGUIRE

DEPARTMENT OF INDUSTRIAL  
POLLUTION

BARNEY BARNETT

DEPARTMENT OF SEWERS

STATE OF NEW JERSEY-DEPARTMENT OF ENVIRONMENTAL PROTECTION

DAVID LONGSTREET

ENGINEER, OIL & HAZARDOUS  
MATERIALS PROGRAM

T. FIORE DEMOLITION INC. (TURNPIKE AUTO PARTS)

TED FIORE-OWNER

192 DELANEY ST.  
NEWARK, N.J.

ATTORNEY REPRESENTING DUMPSITE OPERATOR (T. FIORE)

MR. ROBERT BLASI  
C/O HERMAN & BLASI  
TEL: 201-621-7171

50 PARK PLACE  
NEWARK, N.J.

SCIENTIFIC CHEMICAL PROCESSING, INC.-CARLSTADT, NEW JERSEY

MR. HERBERT G. CASE

SALES MANAGER

GAESS ENVIRONMENTAL SERVICES CORPORATION-PASSIAC, NEW JERSEY

- III. SUSPECTED VIOLATION:  
FWPCA SECTION 311(B)6
- IV. SUSPECTED VIOLATOR:  
T. FIORE DEMOLITION INC.  
NEWARK, NEW JERSEY

## V. FINDING OF FACTS

1. ON 22 MARCH, THE BLACK OIL FLOWING FROM THE CREEK INTO NEWARK BAY WAS TRACED UPSTREAM TO A DUMP SITE KNOWN AS T. FIORE DEMOLITION. ON THIS SITE, SEVERAL POOLS OF BLACK OIL RANGING IN SIZE FROM 25-75 FEET IN DIAMETER WERE OBSERVED. DEEPLY RUTTED TIRE TRACKS WERE OBSERVED LEADING UP TO THE OIL POOLS, STRONGLY INDICATING THAT THE OIL HAD BEEN DISCHARGED BY TANK TRUCKS DISCHARGING WASTE OIL. DOZENS OF 55 GALLON DRUMS CONTAINING LIQUID PETROCHEMICALS WERE ALSO FOUND. BLACK OIL WAS OBSERVED SEEPING FROM THE POOLS AND INTO THE CREEK AT VARIOUS POINTS IN THE DUMP SITE.

THE FOLLOWING INDIVIDUALS OBSERVED THIS SITUATION:

LT. WHITE	PILOT, USCG HELO 1371
GM2 STOLL	COTP OBSERVER, USCG HELO 1371
QM2 WARMAN	USCG, COTP, NYK
QM3 DIENER	USCG, COTP, NYK
MR. S. BOGDAN	FOREMAN, COASTAL SERVICES, INC.

2. ON 23 MARCH, MR. TED FIORE APPEARED AT THE DUMP SITE AND IDENTIFIED HIMSELF AS THE OWNER AND OPERATOR OF THE FACILITY. MR. FIORE WAS APPRAISED OF THE SITUATION AND OF FEDERAL REGULATIONS PERTAINING TO HIS RESPONSIBILITY FOR CLEAN-UP AND INDICATED THAT HE WOULD HIRE HIS OWN CONTRACTOR FOR CLEAN-UP OPERATIONS. MR. FIORE MADE THESE STATEMENTS IN THE PRESENCE OF GM2 WARMAN, COTP, NYK AND MR. STAN BOGDAN OF COASTAL SERVICES, INC., ELIZABETH, NEW JERSEY.

3. MR. FIORE SUBSEQUENTLY HIRED GAESS ENVIRONMENTAL AND SCIENTIFIC CHEMICAL PROCESSING OF E. RUTHERFORD, NEW JERSEY FOR CLEAN-UP. THESE TWO FIRMS REPORT THE REMOVAL OF APPROXIMATELY 9,500 GALLONS OF OIL FROM THE CREEK.

4. ON 25 MARCH, COTP INVESTIGATORS REPORTED THAT THE BLACK OIL POOLS HAD BEEN BULLDOZED OVER WITH HUNDREDS OF YARDS OF BUILDING DEMOLITION FILL. IT IS BELIEVED THAT MR. FIORE DIRECTED THIS OPERATION. ALTHOUGH HE NEITHER CONFIRMS OR DENIES IT.

5. ON 10 APRIL, A MEETING WAS HELD BETWEEN MR. FIORE AND LT. E.R. WILLIAMS. GM2 R.W. STOLL WAS ALSO PRESENT. MR. FIORE, AFTER IDENTIFYING HIMSELF AS THE OWNER AND OPERATOR OF THE DUMP SITE, WAS ADVISED THAT HIS CLEAN-UP EFFORTS WERE UNSATISFACTORY AND THAT HIS FAILURE TO TAKE PROMPT CORRECTIVE ACTION WOULD RESULT IN THE COAST GUARD'S INITIATING A GOVERNMENT FUNDED SPILL CLEAN-UP RESPONSE. A LETTER FROM CAPTAIN OF THE PORT, NEW YORK, OUTLINING THE ACTION TO BE TAKEN TO EFFECT SATISFACTORY CLEAN-UP WAS PRESENTED TO MR. FIORE ON 12 APRIL, 1974 (SEE ENCLOSURE). AT THAT TIME, MR. FIORE ASSERTED THAT HE WOULD TAKE SUCH ACTION AS REQUIRED BY CAPTAIN OF THE PORT.

6. ON 22 APRIL, 1974, AN EXTENSIVE INSPECTION OF THE DUMP SITE WAS CONDUCTED BY LCDR HARBISON AND LT. E.R. WILLIAMS. FROM THIS ACTIVITY, IT WAS DETERMINED THAT MR. FIORE'S ACTIONS TO DATE WITH RESPECT TO THE CONTAINMENT AND REMOVAL OF WERE UNSATISFACTORY. THEREFORE, THE DECISION WAS MADE TO INITIATE A GOVERNMENT FUNDED SPILL. ON 23 APRIL, A LETTER TO THIS EFFECT WAS PRESENTED TO MR. FIORE (SEE ENCLOSURE 2).



7. BY 31 MAY, THE CREEK ABOVE AND BELOW THE DUMP SITE HAD BEEN CLEANED OF OIL AND OIL SOAKED DEBRIS AND VEGETATION. SUBSEQUENT SEEPAGE HAS REMAINED CONTAINED IN THAT PORTION OF THE CREEK WHICH FLOWS THROUGH THE DUMP SITE. NO OTHER OIL HAS APPEARED IN THE CREEK EXCEPT THAT WHICH HAS SEEPED IN FROM THE DUMP SITE AND NO OTHER SOURCE OF OIL HAS BEEN LOCATED. THE SEEPING OIL HAS BEEN TRACED TO THOSE AREAS WHERE THE BLACK POOLS WERE PREVIOUSLY FOUND.

8. THE RATE OF OIL SEEPAGE HAS RANGED FROM LESS THAN 50 TO OVER 500 GALLONS PER DAY. THIS RATE APPEARED TO BE GOVERNED PRINCIPALLY BY THE WATER TABLE LEVEL AND RAINFALL PATTERNS. THERE IS NO CLEAR INDICATIONS TO DATE THAT THE SEEPAGE RATE IS ABATING.

9. EXTENSIVE INVESTIGATIONS CONDUCTED BY BOTH COTP, NEW YORK AND NEWARK SEWER DEPARTMENT PERSONNEL HAVE REVEALED NO OTHER SOURCE FOR THE OIL OTHER THAN SEEPAGE FROM THE DUMP SITE.

10. ANALYSIS OF THE OIL SAMPLES TAKEN FROM THE DUMP SITE SHOWED A CONSISTENT MATCH WITH THOSE TAKEN AT THE POINT WHERE THE SEEPING OIL ENTERED THE CREEK. ANALYSIS WERE MADE BOTH BY THE FEDERAL E.P.A TESTING LABORATORY IN EDISON, NEW JERSEY, AND BY THE RESEARCH AND DEVELOPEMENT CENTER OF THE U.S. COAST GUARD AT GROTON, CONNECTICUT.

11. THE STATE OF NEW JERSEY'S DEPARTMENT OF ENVIRONMENTAL PROTECTION PRESENTLY HAS A LEGAL CASE PENDING AGAINST MR. FIORE FOR OPERATION OF A LAND FILL SITE WITHOUT A PERMIT.

12. THE NEWARK HOUSING AUTHORITY HAS A ONE MILLION DOLLAR SUITE AGAINST MR. T. FIORE FOR EXTENDING HIS DUMP SITE OPERATION ON TO APPROXIMATELY ONE HALF MILLION SQUARE FEET OF HOUSING AUTHORITY PROPERTY.

CONCLUSIONS:

1. THAT MR. TED FIORE IS THE OWNER AND OPERATOR OF THE DUMP SITE KNOWN AS T. FIORE DEMOLITION LOCATED OFF OF WILSON AVENUE, NEWARK, NEW JERSEY.
2. THAT MR. FIORE HAD KNOWLEDGE OF OIL BEING DEPOSITED ON HIS PROPERTY AT THE TIME SEEPAGE INTO THE CREEK COMMENCED.
3. THAT MR. FIORE WAS MADE AWARE OF HIS RESPONSIBILITY TO TAKE PROMPT AND EFFECTIVE CONTAINMENT CLEAN-UP ACTION, AND THAT HE FAILED TO TAKE SUCH ACTION DURING THE PERIOD FROM 22 MARCH TO 22 APRIL.
4. THAT THE OIL REMOVED FROM THE CREEK UNDER THE GOVERNMENT FUNDED CLEAN-UP OPERATION CAME FROM THE DUMP SITE OPERATED BY MR. T. FIORE.

RECOMMENDATIONS:

THAT MR. T. FIORE BE CHARGED WITH ALL EXPENSES ACCRUED BY THE UNITED STATES GOVERNMENT UNDER POLLUTION INCIDENT CONTROL NO. 1-4-0043.

*E.R. Williams*  
E.R. WILLIAMS  
LT., USCGR



DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

MAILING ADDRESS

Captain of the Port  
U.S. Coast Guard  
Governors Island  
New York, N.Y. 10004

30 May 1974

Mr. Stanley Bogdan  
c/o Coastal Services Inc.  
632 South Front Street  
Elizabeth, New Jersey

Dear Mr. Bogdan,

As a follow up to our telephone conversation of 9 May 1974, I am writing you to request that you prepare a signed and dated statement of your observations, and actions when you responded to an oil seepage case on 23 March 1974 at T. Fiore Demolition, Wilson Avenue, Newark, New Jersey. Particularly, I am interested in a description of the location, size, and any estimate you might be able to give concerning the amount of oil observed in the oil pools on Mr. Fiore's property. Also, please state if you observed any evidence that oil had been dumped in other areas, (covered oil pools ect.).

If you have any questions concerning this request please do not hesitate to contact me. Your cooperation in this matter will be greatly appreciated.

Sincerely,

*E. R. Williams*  
E. R. WILLIAMS



# Coastal SERVICES, Inc.

632 South Front Street • Elizabeth, New Jersey 07202 • (201) 355-8880

Administrative Offices: 22 River Street • Braintree, Massachusetts 02184 • (617) 848-4820

June 7, 1974

Lt. F.R. Williams  
Captain of the Port  
U.S. Coast Guard  
Governors Island  
New York, New York 10004

Dear Sir:

We were alerted 11:30 P.M. March 22, 1974, regarding oil seeping into creek. We responded to T. Fiore Demolition, also known as Turnpike Auto Parts, address Wilson Avenue, Newark, New Jersey. Met with Mr. Warman of United States Coast Guard, who advised me of the situation. All we could do was to fabricate boom of Coastal Paks and deploy same to contain the seeping oil and other pollutants from entering into the creek.

Returned the following day with supervisor and six men. Mr. Warman and I checked the area and found open pit probably dug out with a bulldozer, approximately 100'x75'x6'+. We also noticed other areas where pits were previously dug and material concealed and recovered with earth. It appeared to me that these pits were dug for the sole purpose of getting rid of solvents, debris, oils and other waste materials. Also found large size tire tracks all over the area indicating heavy truck movement.

Found a number of oil pools and a lot of ground with heavy saturation of oils and other chemicals. Could not ascertain the amount of oil that had saturated a vast area of the ground because it appeared to me that this above mentioned site had been used as a dumping ground for quite a long time.

Yours truly,

*Stan Bogdan*  
Stan Bogdan

/g



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

EDISON, NEW JERSEY 08817

July 24, 1974

Lt. Williams  
U.S. Coast Guard  
Captain of the Port  
Governors Island  
New York, New York 10004

Dear Lt. Williams:

Four samples collected on 5/8/74 regarding T. Fiore Demolition were identified as follows:

<u>EPA Lab.</u> <u>Sample No.</u>	<u>USCG</u> <u>Number</u>	<u>Sample Source</u>
29547	4	Collected from oil runoff downstream of landfill.
29548	3	Oily material running out of landfill.
29549	2	Oily material running out of landfill.
29550	1	Collected upstream of landfill.

The above samples were analyzed by FID/FPD gas chromatography, infrared spectrometry and computerized gas chromatography/mass spectrometry (GC/MS).

Sample 29550 contained no petroleum and other organics. Oil in the remaining three samples appear to be from the same source, but showing slightly different degrees of weathering (loss of volatiles). They mainly consist of Number 4 fuel oil or petroleum distillate of similar boiling range. In addition, these samples contained several percent of a di-octyl phthalate ester (plasticizer). This is a much higher concentration than would ever be present in the environment. This ester, therefore, can be considered a positive "tag" for identification.

Sample 29549, in addition to the above, contained traces of di, tri and tetra-chlorobenzene. These are volatile compounds which may have volatilized from Samples 29548 and 29547 into the atmosphere.

Sincerely,

*Francis T. Brezenski*  
Francis T. Brezenski  
Laboratory Director



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II  
EDISON, NEW JERSEY 08817

July 26, 1974

Lt. Williams  
Captain of the Port  
Governors Island  
New York, New York 10004

Dear Lt. Williams:

Five samples received on June 25, 1974 covering the T. Fiore Co., Newark, N.J. were identified as follows:

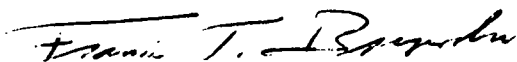
<u>EPA Lab. Sample No.</u>	<u>USCG Number</u>	<u>Sample Source</u>
33631	120-74	Collected north of the R.R. track, T. Fiore Co., Newark, N.J.
33632	122-74	Collected south of the R.R. track, T. Fiore Co., Newark, N.J.
33633	124-74	Collected from seepage point 20 yds. from R.R. track, T. Fiore Co., Newark, N.J.
33634	126-74	Collected between T. Fiore property and Turnpike, Newark, N.J.
33635	128-74	Collected 50 yds. east of road across creek on T. Fiore property, Newark, N.J.

Oil extracted from the five samples were analyzed by FID/FPD gas chromatography, infrared spectrometry and computerized GC/MS. Greater than 90% of the oil in those samples was a Number 4 fuel oil or similar boiling range distillate. As far as other organics, several percent of a di-octyl pthallate ester was present in the samples. Again, this compound could be considered as a positive "tag" for identification of the source.

2.

In addition, Sample 33633 contained a trace of di-chlorobenzene and 33634 contained traces of tri and tetrachlorobenzene.

Sincerely,

A handwritten signature in dark ink, appearing to read "Francis T. Brezenski". The signature is written in a cursive style with a prominent horizontal line above the first name.

Francis T. Brezenski  
Laboratory Director



DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

MAILING ADDRESS:

Captain of the Port  
U.S. Coast Guard  
Governors Island  
New York, N.Y. 10004

5922

12 April 1974

Mr. Ted Fiore  
Turnpike Auto Parts  
Wilson Avenue  
Newark, New Jersey

Dear Mr. Fiore:

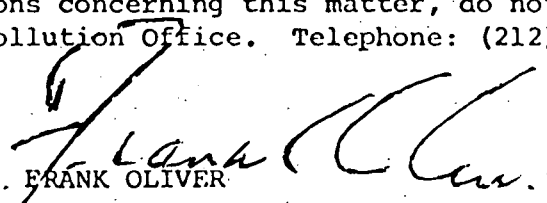
As a follow-up to your meeting on 10 April with LT E. R. WILLIAMS, Water Pollution Officer of this command, I am writing you to specify the necessary actions you must undertake in the clean up of the oil discharged from your property (Turnpike Auto Parts) at Wilson Avenue, Newark, New Jersey, in order to comply with current Federal Regulations.

Your failure to carry out these actions in a reasonably prompt and timely fashion will result in the Coast Guard's taking over clean up operations using government funds. Legal proceedings will then be brought against you through the U.S. Attorney to recover these costs. It is our hope that this will not be necessary, but be advised that the Coast Guard is fully prepared to carry out this action if you do not undertake responsibility for the following:

1. To contain all oil presently in the creek which runs adjacent to your property by maintaining the booms which are presently in place, and by replacing the absorbent booms at the mouth of the creek as they become oil saturated.
2. To stop the seepage of oil from your land fill site into the creek by setting up a retaining bulkhead and catch system to contain and remove the oil.
3. To begin prompt removal of the oil, the oil soaked debris, and the oil vegetation along the entire length of the creek.

Coast Guard investigators and helicopter overflights will be conducting daily inspections of the clean up operation to insure that the above is being complied with.

Should you have any questions concerning this matter, do not hesitate to contact the Water Pollution Office. Telephone: (212) 264-8754.

  
FRANK OLIVER

Captain, U.S. Coast Guard  
Captain of the Port of New York

VI-15



Captain of the Port  
U.S. Coast Guard  
Governors Island  
New York, N.Y. 10004

5922  
24 April 1974

Mr. Ted Fiore  
T. Fiore Demolition  
(Turnpike Auto Parts)  
Wilson Avenue  
Newark, New Jersey 07105

Dear Mr. Fiore:

I call your attention to my letter to you dated 12 April in which I outlined the steps to be taken in the prompt containment, and removal of the oil being discharged from your property on Wilson Avenue in order to comply with current Federal Regulations.

On 22 April an inspection of the creek which runs adjacent to your property was carried out. From this inspection I have determined that although several truck loads of oil/water mixture have been removed, a substantial amount of oil remains in the creek. Furthermore, oil continues to seep into the creek from your land fill site and oil is also flowing down the creek, and into Newark Bay.

Therefore, I have judged your clean up actions to be unsatisfactory and I am initiating a federally funded response to this oil spill in accordance with the Federal Water Pollution Control Act as amended (PL 92-500). You will be held responsible for any actual costs incurred by the Federal Government under the limitations set forth in Section 311(f).

Clean up is being carried out in accordance with the provisions of the National Contingency Plan published in the 13 August 1973 Federal Register, and will be coordinated with the U.S. Coast Guard as On-Scene Coordinator.

Sincerely,

FRANK OLIVER  
Captain, U.S. Coast Guard  
Captain of the Port of New York

Encl: (1) COTP NY ltr 5922 dtd 12 APR 74 to Mr. T. Fiore  
(2) U.S. Federal Register dated 13 August 1973

I hereby acknowledge receipt of COTP NY letter 5922, dated  
24 April 1974.

Signature

J. L. Luce

Date

April 24/74